

DECLARATION OF JV RUDNICK

1. My name is JV Rudnick. I am a resident of Ben Lomand, California. I am a retired telecommunications engineer and consultant.
2. I was also manager of a former tower previously on the property of 7721 Empire Grade in Santa Cruz County, California, NAD 83 coordinates 37 03' 42.82" N 122 07' 17.87" W, ("the site"), which was fully dismantled and decommissioned as of December 2014. I am very familiar with the property, its owners, and the facilities currently on the property.
3. In December 2014, an omni-directional antenna associated with K216AX, a translator operating at 91.1 FM (Facility ID# 71971), was removed along with our 80' tower. The antenna was moved temporarily onto a new unregistered tower west on the same property. The height of this new tower is approximately 40 feet (12.19 meters).
4. On the morning of December 10th 2015 I received a voice message from a Lee Wagner, introducing himself as a broadcast engineer, inquiring about the old tower for an installation of a new NCE FM facility with a construction permit expiring on December 20th. 2015. I returned the call and spoke with the engineer, and explained that the old 80' tower had been decommissioned and no longer existed.
5. On Saturday, December 19, 2015 I visited the site at 7721 Empire Grade. When walking upon the property I looked closely at the 40' tower still on the property, and noted that no new antenna arrays had been installed on the tower.
6. On the morning of December 21st 2015, I noticed in the FCC's CDBS that an application for a License to Cover (302-FM) for Facility ID# 174869 was filed with the frequency of 89.3 FM for the community of Scotts Valley, California.
7. In looking closer at the engineering details within the Form 340 application as Granted by the Commission, I confirmed NAD 27 coordinates and the height listed in Tech Box (3) and (6) respectively under Section VII - FM Engineering portion of application BNPED-20071022AXV were precisely for the old tower site I previously managed, but which is no longer in existence.
8. That afternoon on December 21st 2015 I drove back to the site at 7721 Empire Grade. When I got a close look at the new 40' tower, there was no new antenna array installed on the tower or anywhere on the property, only the omnidirectional previously installed for K216AX.
9. Before leaving the property on December 21st, I took photos of the tower, which are dated and timestamped at Pacific Time, included as an exhibit for this declaration.

This declaration is based on facts within my personal knowledge and is sworn to under the penalties for perjury provided in the laws of the United States.

Executed on this 20th day of January, 2016.

A handwritten signature in cursive script, reading "JV Rudnick", written over a horizontal line.

JV Rudnick
485 Larita Drive
Ben Lomond, California 95006

Attachments:

- Photo of current unregistered tower at 7721 Empire Grade in Santa Cruz, California
(NAD-27: 37 3 43.2 N, 122 7 15.8 W ; NAD-83: 37 3 43.01 N, 122 7 19.7 W)
- Specification detail from 'Proof of Performance' filed on 12/18/2015 (pg.10, PDF)
(via 302-FM, Application File # BLED-20151218BSL)

Exhibit A

Photo of unregistered 40' tower (right of center) at 7721 Empire Grade in Santa Cruz, California.
Timestamp: Monday, December 21, 2015, 13:41 Pacific Time.

Proof of Performance filed for antenna in 302-FM Application# BLED-20151218BSL indicates installed antenna would visibly extrude more than 7' feet from three sides at 23m (75') height. specified in Application # BNPED-20071022AXV (Form 340).

However current tower pictured at this site is less than 15 meters, with no new antenna installed.

